

MINUTES

Planning and Zoning Commission



June 26, 2024 – 5:30 P.M.

*Virtual participation for this meeting was made available via Zoom.
The proceeding can be viewed at <http://losalamos.legistar.com/Calendar.aspx>*

1. CALL TO ORDER / ROLL CALL

Chair Adler called the meeting to order at 5:39 PM. Roll call was administered. A quorum was present.

Members Present:

Rachel Adler, Chair
Stephanie Nakhleh, Vice Chair
David Hampton, Commissioner
Katherine Bruell*, Commissioner
Karen Easton, Commissioner

Members Absent:

Benjamin Hill, Commissioner
Rebecca White, Commissioner

Staff Present:

Paul Andrus*, Community Development Director
Sobia Sayeda, Planning Manager
Desirae J. Lujan, Associate Planner
Katie Thwaites, Deputy County Attorney
Larissa Breen, Assistant County Attorney
Ubaldo Barela, Management Analyst
Lenora Maes, Senior Permit Technician

Council Liaison:

David Reagor*

** Attended virtually via Zoom*

2. PUBLIC COMMENT

None.

3. APPROVAL OF AGENDA

A motion was made by Commissioner Easton, to approve the agenda as presented. Commissioner Hampton seconded. The motion passed unanimously.

4. PLANNING AND ZONING COMMISSION BUSINESS

A. Approval of the April 10, 2024, Planning and Zoning Commission Meeting Minutes

A motion was made by Commissioner Hampton to approve the April 10, 2024, Planning and Zoning Commission Meeting Minutes as amended. Seconded by Commissioner Nakhleh. The motion passed unanimously.

B. Approval of the May 8, 2024, Planning and Zoning Commission Meeting Minutes

A motion was made by Commissioner Adler to approve the May 8, 2024, Planning and Zoning Commission Meeting Minutes as presented. Seconded by Commissioner Hampton. The motion passed unanimously.

5. PUBLIC HEARING(S)

- A. CASE NO. REZ-2024-00018.** Philip Gursky, Northern New Mexico Capital Investments, LLC., on behalf of Five Oaks Investments, LLC., property owner, is requesting a Minor Zone Map Amendment to change the property, NC1 B1, from its current Residential-Mixed (RM-2) zone district to the Multi-Family Residential-Low (MFR-L) zone district. The property is commonly known as the North Road Inn and is addressed as 2127 North Road, within the North Community 1 Subdivision.

Chair Adler opened the case and explained the meeting procedures. Commissioner Easton recused herself from the case. Parties were identified and those expected to give testimony were sworn in:

*Philip Gursky, Northern New Mexico Capital Investments, LLC.
Desirae Lujan, Los Alamos County Senior Planner.
Gregory White, 600 San Ildefonso Road.*

Chair Adler polled the Commission for potential Conflicts of Interest or ex-parte communication. Commissioner Easton brought up a high-level communication between herself and the property owner, she also stated it would not influence her decision in this case. Commissioner Easton asked her fellow commissioners to decide if she should vote in this case. There were no objections to Commissioner Easton's participation in this case.

Philip Gursky, applicant, on behalf of Northern New Mexico Investments, LLC, presented the rezoning of NC1 B1, from its current Residential-Mixed (RM-2) zone district to the Multi-Family Residential-Low (MFR-L) zone district. The property was historically zoned under MFR-L which allows the lot to be used for multi-family housing purposes. The lot is currently being used as an Inn. Upon zone change, the lot will be contributing to the Los Alamos County Comprehensive Plan.

Desirae Lujan, Senior Planner, gave the staff presentation on CASE NO. REZ-2024-00018 regarding the rezoning of the property located at NC1 B1. She stated that the two zones are similar and have conditional use differences. The lot was incorrectly zoned in 2005, and this rezone would be a correction. The staff is in support of the rezone and recognizes that the application has met the criteria required for approval.

Chair Adler questioned the use of the lot as a multi-family structure as being a residential or commercial use. Desirae Lujan, Senior Planner, answered the question stating that the current zoning does not allow for multi-family use. Phil Gursky added that the structure being used for any rental purpose or as an Inn does change the underlying residential use of the property.

Mr. Gregory White, 600 San Ildefonso Road, raised concern regarding the public notice of this meeting. The applicant confirmed that public notice was sufficiently noticed for CASE NO. REZ-2024-0018.

Chair Adler closed the public hearing to receipt of evidence, and the Commission discussed each decision criteria and agreed that they had been met.

Commissioner Easton moved to recommend that the County Council approve Case No. REZ-2024-0018, a request from Philip Gursky, Northern New Mexico Capital Investments, LLC., on behalf of Five Oaks Investments, LLC., property owner. Approval would amend the zone district of the Property, NC1 B1, from its current Residential-Mixed (RM-2) Zone District to the Multi-Family Residential-Low (MFR-L) Zone District. The Property is commonly known as the North Road Inn and is addressed as 2127 North Road, within the North Community 1

Subdivision.

Approval is based on the Findings of Facts established at the hearing and conclusion that the Applicant has met the decision criteria for a Minor Zone Map Amendment pursuant to Section 16-74(h)(3) of the Los Alamos County Development Code and that the Commission is acting under the authority granted by Section 16-69-(b)(1) of the Development Code.

I further move to authorize the Chair to sign a Final Order approving the application and Findings of Fact and Conclusions of Law for this case, based on this decision to be prepared by county staff.

Seconded by Commissioner Nakhleh. The motion carried a 5-0 vote.

For:

Stephanie Nakhleh
Rachel Adler
David Hampton
Karen Easton
Katherine Bruell

6. COMMISSION/DIRECTOR COMMUNICATIONS

A. Department Report

Paul Andrus, Community Development Director spoke on the Los Alamos County Comprehensive Plan.

Sobia Sayeda, Planning Manager commented on the Town Hall meeting and the discussion of MRA.

B. Chair's Report

Chair Adler commented on interviews being done to fill the remaining Planning and Zoning Commission positions.

C. Council Liaison's Report

County Councilor David Reagor reported on the Housing Update done at the County Council meeting on June 25, 2024.

D. Commissioners' Comments

Commissioner Hampton prompted the idea for a training presentation to the Planning and Zoning Commission at a future meeting.

Commissioner Nakhleh commented on split-rate tax as a potential topic for presentation.

Commissioner White asked for an update on the presentation from Tony Jordan.

Commissioner Bruell commented in support of the presentation idea.

7. PUBLIC COMMENT

None.

8. ADJOURNMENT

6:40 pm